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United States Senate  
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June 28, 2001

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Mr. Paul A. Jackson  
Acting Director, Office of Legislative and Intergovernmental Affairs  
Federal Communication Commission  
445 12<sup>th</sup> Street, S.W., Room C453  
Washington, D.C. 20554

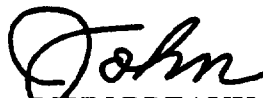
Dear Mr. Jackson:

I have been contacted by Reba and Bob Pulliam from Baton Rouge regarding the requirement of digital channels for small networks.

Please give the views and concerns of my constituent every appropriate consideration within federal guidelines. Also, please investigate the enclosed information sent to me and provide me with a report responding to the issues raised in their letter. Your reply may be forwarded to the attention of Emily Bacque.

Thank you for your attention and assistance.

Sincerely,



JOHN BREAUX  
United States Senator

JB/ekb/mtw  
Enclosure

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10. JUL 96 1 5 PM '01

Author: Bob <bobpulliam@home.com> at Internet

Date: 6/25/2001 10:40 PM

Normal

TO: senator at BreauX-DC

Subject: Required Digital Channels for Small Networks

----- Message Contents

539755  
01 JUN 27 PM 5:34

I am a supporter of the Trinity Broadcasting Network (TBN).who must build a digital network by May 1, 2002. This is insufficient time and enormous expense for a privately funded network such as TBN.

At present less than 200 of 1600 television stations have built digital channels and those built are primarily by the large stations. In addition very few viewers have digital tuners to receive these signals. Therefore Congress should not punish the smaller stations by obligating them to spend millions of dollars on a system which very few people are watching.

I am asking you to support the smaller market and independent stations by giving them an option of returning their digital channel now, which would allow for an early auction of the retrieved frequency by the government. Electing stations would then be relieved of the May 2002 built-out-deadline, and allowed to convert to a digital operation by the December 31, 2006 transition deadline for all analog stations.

Please help as this is an important matter for all Christians. We would appreciate your response.

Respectfully yours.....Robert & Reba Pulliam  
10548 Mollylea Drive  
Baton Rouge, LA 70815



Federal Communications Commission  
Washington, D.C. 20554

JUL 23 2001

The Honorable John Breaux  
United States Senator  
2237 South Acadian Thruway, Suite 802  
Baton Rouge, LA 70808

Dear Senator Breaux:

Thank you for forwarding the recent letter from your constituents, Reba and Bob Pulliam, regarding the transition to digital television (DTV). They express concern with the impact that the transition to DTV will have on smaller market and independent TV stations and suggest that we allow these stations the option of returning their digital channel now and delaying their conversion from analog to digital operation until the 2006 DTV transition deadline.

In establishing service rules for the DTV transition, the Commission expressly rejected requests that it allow smaller market and noncommercial stations to make an immediate transition to digital television at the end of the transition, eliminating the need to construct and operate a second facility during the transition. While sensitive to the economic challenges facing small market broadcasters and the funding problems facing noncommercial stations, the Commission rejected this approach as undermining its DTV simulcasting policy, which was premised on broadcasters operating an NTSC and a DTV station until the end of the transition. The Commission noted, however, that it could revisit this conclusion during any of its DTV periodic reviews.

There is a process stations may use to seek an extension of the DTV construction deadline. In the *Fifth Report and Order* with respect to DTV, the Commission noted that it will grant an extension of the construction deadline where a broadcaster has been unable to complete construction due to circumstances that are either unforeseeable or beyond the licensee's control if the licensee has taken all reasonable steps to resolve the problem expeditiously. Such circumstances include, but are not limited to, the inability to construct and place in operation a facility necessary for transmitting DTV, such as a tower, because of delays in obtaining zoning or FAA approvals, or similar constraints, or lack of equipment necessary to transmit a DTV signal. The Commission stated that it did not anticipate that the circumstance of "lack of equipment" would include the cost of such equipment. The Commission delegated authority to the Mass Media Bureau to grant two such six-month extensions of time, after which extension requests will be referred to the Commission.

Page 2—The Honorable John Breaux

We are currently considering petitions for reconsideration of the *Report and Order* in our first DTV periodic review proceeding. Some of these petitions have asked that we extend the applicable construction deadlines for stations in smaller markets, citing costs and hardship, and those petitions are pending.

We will include your constituents' letter in the record of the DTV periodic review proceedings and consider all views carefully. I hope this is responsive to your concerns.

Sincerely,

  
Roy J. Stewart  
Chief, Mass Media Bureau